



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2308634
Applicant Name: Brittani Ard
Address of Proposal: 3216 NE 100th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into four lots. Proposed lot sizes are: Lot W) 5,878.5 square feet, Lot X) 5,901.8 square feet, Lot Y) 5,901.8 square feet; and Lot Z) 5,812 square feet. The lot sizes are proposed under the “75/80” rule of the Land Use Code, SMC 23.44.010.

The following approval is required:

Short Subdivision – to create four parcels of land (SMC Chapter 23.24).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Zoning: Single Family 7200 (SF 7200)

Date of Site Visit: December 16, 2003

Uses on Site: Vacant former school site.

Site Characteristics: The subject site is relatively flat but with a small steep slope along NE 100th Street and down sloping toward the north. There are no Environmentally Critical Areas (ECA's) on the site. This section of North East 100th Street is paved but without curbs and gutters. There is no

sidewalk along this side of the street adjacent to these proposed parcels. Along the south side of the street there is an asphalt walkway. To the east of the site on the north side of NE 100th there are modified street improvements of curb, gutter, and sidewalk, but no planting strip between the site and 35th Avenue NE.

Public Comment

Four comment letters were received during the comment period which ended January 21, 2004. Comments were made about vehicle headlight glare on the existing residential properties to the south from the central access road that will bi-sect these four lots to grant access to eight (8) proposed lots to the north under MUP 2308635, the location of this access road in relation to the existing street intersection at 32nd Avenue NE, site drainage, the extent of impervious surfaces, and the allowed density of the future structures under the use of the “75/80” rule of SMC 23.44.010.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from the drainage section of DPD, Seattle Public Utilities (SPU) for water availability, Fire Department (SFD), Seattle City Light (SCL), and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards and applicable exceptions set forth in the Land Use Code, and are consistent with applicable development standards. As proposed, this short plat utilizes the “75/80” rule of SMC 23.44.010 that allows the creation of lots less than the nominally required size for this zone provided the proposed lots are a minimum of 75% of

the required lot size for the zone and at least 80% of the mean lot area of the lots on the same block face and within the same zone in which the lot is located.

There are five other lots on this block face of Northeast 100th Street; they are located to the east of the subject parcel. The parcel to the west of this site (Parcel A of Lot Boundary Adjustment 2307324) does not extend to NE 100th Street, instead, as a result of the LBA, the subject parcel extends to 32nd Avenue NE through a one-half foot former section of Parcel A. The result is that Parcel A, by not having frontage on NE 100th Street, is not included in the “75/80” calculation.

The “75/80” calculations are as follows: Seventy-five percent of the 7,200 square feet required lot size for this zone is 5,400 square feet. Eighty percent of the mean lot area of the five lots is 5,773 square feet. The smallest proposed lots size is 5,812 square feet (for Lot Z), therefore the proposed lots meet the requirement of this rule.

The Land Use Code requires the addition of street improvements for existing streets in residential zones when new lots are created (SMC 23.53.015). The improvements that may be required are concrete curb, gutter, sidewalk, additional street pavement (if necessary), the planting of street trees, and the submission of a “no protest” agreement. Because this project and the related short plat of the parcel to the north (MUP 2308635) will create a total of 12 new lots, the Exception provisions of SMC 23.53.015.D.2 do not apply. The extent of the required street improvements will be determined in consultation with the Seattle Department of Transportation (SDOT) at the time of application for building permit. To this end, a complete Street Improvement Permit application must be submitted prior to the approval of any building permits for future construction on Lots W, X, Y, and Z.

This short subdivision provides access for vehicles, pedestrians, public and private utilities and access for emergency personal and vehicles. This access will be provided directly from NE 100th Street.

Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing storm water control, utility extensions, and the provision of required easements. Drainage review noted that at the time of building permit review for the proposed lots, a determination will be made on the need for a comprehensive drainage control plan (if greater than 5,000 square feet of new impervious surface is proposed) and an extension of the public storm drain system.

The public use and interest are served by this proposal. The additional parcel created through the application of the “75/80” rule, creates additional buildable lots for the future construction of additional housing unit in the City.

This parent lot does not contain any environmentally critical areas; therefore SMC 25.09.240 is not applicable.

The parent lot contains one small birch tree (4 caliper inch in diameter) at the south end of the site. This tree is not likely to be retained during building construction due to the need to grade this slope for the preparation of level building sites. This tree is not classified as significant. However, as a part of

building permit approval the tree planting requirements of SMC 23.44.008 must be followed. These require the planting of 2 caliper inches of tree per each 1,000 square feet of lot area.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

1. Submit the final recording forms for approval along with any required fees.
2. Make a note on the face of the plat indicating that street improvements per SMC 23.53 will be required.

Conditions of Approval after Recording and Prior to Building Permit Approval for any and all Lots

The owner(s) and/or responsible party(s) shall:

3. Have a completed Street Improvement Permit application for the construction of the street improvements required by SMC 23.53 on file with SDOT. These will include at least concrete curb, gutter, and sidewalk. The final extent of the street improvements will be determined by SDOT and DPD and based on SMC 23.53.
4. Attach a copy of recorded short subdivision to all copies of future building permit application plans.

Signature: _____ (signature on file) Date: May 10, 2004

Art Pederson, Land Use Planner
Department of Planning and Development
Land Use Services